THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18379 OF 2006

DATED: 22nd NOVEMBER, 2006.

Between :

Karem Lenin .. Petitioner

And

1. The Principal Secretary, Social Welfare Department, Government of A.P. Secretariat Buildings, Hyderabad; and 4 others. .. Respondents

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ORDER :

The petitioner who is the President of Therisa Kalpana Seva Sangham filed this writ petition seeking a direction to the respondents to implement G.O.Ms.No.39, Social Welfare (S.W. Ser.1.2) Department, dated 16-5-2005 by inviting tenders for outsourcing of Class-IV Service (Cooks, Kamaties/Watchmen) in social Welfare Department.

In the affidavit filed in support of the writ petition, it is stated that the petitioner is a licensed service provider agency for the purpose of supplying manpower on contract basis to Social Welfare Hostels. Under G.O.Ms.No.39, dated 16-5-2005 certain guidelines were issued by the Government regarding outsourcing of support services in Social Welfare Departments. The grievance of the petitioner in this writ petition is that the respondents failed to follow the said guidelines while filling up of the vacancies of Class-IV staff in Social Welfare Hostels like Cook, Kamati, Watchman etc. by outsourcing of services by calling tenders/quotations. It is alleged that in terms of G.O.Ms.No.39, dated 16-5-2005 whereas the respondents are required to notify the tenders/quotations and accept the lowest, the respondents failed to do so but they have been appointing Class-IV staff as per their own choice.

In the counter affidavit filed by the 5th respondent – Deputy Director of Social Welfare, West Godavari District, Eluru, while denying the allegation that the guidelines under G.O.Ms.No.39 dated 16-05-2005 are not being followed, it is explained that having taken

into consideration that the Zilla Samakhya has got manpower to provide to the Government Hostels and particularly taking into consideration the past experience of employees sponsored by Zilla Samakhya it was decided by the Joint Collector, who is chairman of the committee to consider the case of the Zilla Samakhya Velugu Programme (Project) for supply of manpower to the Social Welfare Hostels. Pursuant thereto, in the year 2006-2007, an agreement was entered between the Zilla Samakhya and the Deputy Director for Social Welfare for taking the services of the persons sponsored by Zilla Samakhya Velugu Project for a period of 9 months starting from 01-07-2006 to

31-03-2007. Accordingly, the candidates sponsored by Zilla Samakhya have been working in various hostels. It is further explained that Zilla Samakhya is also one of the agency organisation of the Government and therefore, orders were issued for the year 2006-2007 to outsource the candidates sponsored by Zilla Samakhya.

Having regard to the above stand taken by the respondents in the counter affidavit, no further enquiry is necessary and accordingly, the writ petition is disposed of with a direction to the respondents to strictly adhere to the guidelines prescribed under G.O.Ms.No.39, dated 16-09-2005 while filling up the vacancies of Class-IV staff in Social Welfare Hostels after 31-03-2007 for the year 2007-2008.

With the above directions, the Writ Petition is disposed of. No costs.

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G. ROHINI, J.

Dt. 22-11-2006

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Note:- CC by 28-11-2006.